

# COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

## NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The following workshop will be held on November 18, 2015, at 8:00 A.M., via video conference at the Nevada Department of Education Board Rooms, 700 East Fifth Street, Carson City, Nevada and 9890 South Maryland Parkway, Las Vegas, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulation. The workshop is scheduled as follows:

### **Workshop to Solicit Comments for Proposed Amendments to the Following Regulations:**

NAC 391.077 Proposed Amendments to Regulation [NAC391.077](#) Extension of time prescribed for renewal of license or validity of provisional license; time for filing request for extension; period of validity. ([NRS 391.019](#), [391.023](#), [391.032](#))

A copy of all material relating to the proposal may be obtained at the workshop or by contacting:

Kim Bennett ([kbennett@doe.nv.gov](mailto:kbennett@doe.nv.gov)) or Jason Dietrich ([jdietrich@doe.nv.gov](mailto:jdietrich@doe.nv.gov))  
Commission on Professional Standards in Education  
Nevada Department of Education  
9890 South Maryland Parkway  
Las Vegas, Nevada 89183  
702-668-4317

The notice of workshop to solicit comments on proposed regulation has been sent to all persons on the Commission's mailing list and is posted on the Nevada Department of Education website, and at the following locations: Nevada Department of Education, Carson City and Las Vegas; 17 Nevada County School District Offices; 17 Nevada County Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, Reno and Las Vegas; and the Nevada State Library and Archives, Carson City.

# COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

## PROPOSED REGULATION

### **NAC 391.077 Workshops to Solicit Comments for Proposed Amendments to Regulation:**

**[NAC391.077](#) Extension of time prescribed for renewal of license or for validity of provisional license; time for filing request for extension; fees; period of validity. ([NRS 391.019](#), [391.023](#), [391.032](#))**

1. The Superintendent of Public Instruction may extend the time prescribed for renewal of a license or for the validity of a provisional license **for a fee of \$50** if:

(a) The licensee provides proof that a course or test required for renewal of his or her license or removal of the provision under which his or her provisional license was issued was not available during the time his or her license was valid.

(b) The licensee provides proof that:

(1) The licensee was issued the provisional license while residing outside of this State; and

(2) The test required for removal of the provision under which his or her provisional license was issued was not available to the licensee during the time his or her license was valid because the licensee was residing outside of this State on the date when the test was offered.

(c) The Department's file relating to the licensee contains adequate documentation that the licensee was misinformed about the requirements necessary to renew his or her license or remove the provision under which his or her provisional license was issued.

(d) The licensee took the wrong test or course necessary to renew his or her license or remove the provision under which his or her provisional license was issued.

(e) The licensee provides written proof from a representative of a religious denomination, sect or organization that a course or test necessary to renew his or her license or remove a provision under which his or her provisional license was issued was offered only during a time which conflicted with the religious beliefs of the licensee.

(f) The unemployment of the licensee or personal medical expenses incurred by the licensee which were not covered under a plan of health insurance caused financial debts in excess of the personal income of the licensee and prevented the licensee from complying with the financial requirements for renewal of the license or removal of the provision under which his or her provisional license was issued.

(g) The licensee suffered a medical condition which prevented the licensee from satisfying the requirements for renewal of his or her license or removal of the provision under which his or her provisional license was issued and the licensee provides written proof:

(1) From a licensed physician that the licensee suffered from such a medical condition, including the duration of the medical condition; and

(2) Of the number of days the licensee worked during the time that his or her license was valid.

(h) The licensee suffered mental anxiety caused by a physical or mental condition which prevented the licensee from passing the test or course required for renewal of his or her license or removal of the provision under which his or her provisional license was issued. The licensee must provide written proof from a licensed physician that the licensee suffered such mental anxiety.

(i) A medical condition, ~~or~~ administrative problem **including without limitation a rejection of a fingerprint submission** prevented the licensee from complying with the requirements for renewal of his or her license or removal of the provision under which his or her provisional license was issued and the Superintendent of Public Instruction determines that the medical condition or administrative problem is adequate to justify the extension.

(j) The provisional license of the licensee expires during a school year and the removal of the licensee from his or her position of employment would have a detrimental effect on the pupils who are taught by the licensee, as determined by the Superintendent of Public Instruction. If an extension is granted pursuant to this paragraph, the extension expires on the last school day of the academic term for which the extension was granted or the time period prescribed in subsection 3, whichever occurs first.

2. A request for an extension pursuant to subsection 1 must be received by the Superintendent of Public Instruction no less than ~~15-working~~ 30 days before the expiration of the license or provisional license. If such a request is received less than ~~15-working~~ 30 days before the expiration of the license or provisional license, the licensee is not guaranteed a decision on the request before the license becomes invalid or expires. A request for an extension which is postmarked or received after the date of expiration of the license or provisional license will not be considered by the Superintendent of Public Instruction.

3. The Superintendent of Public Instruction may grant an extension for a period of ~~not more than~~ 6 months ~~after~~ from the date ~~the extension is granted~~ of expiration of the license or provisional license. In no case may a ~~further~~ subsequent extension be granted to a license or provisional license during the current period of licensure.

(Added to NAC by Comm'n on Prof. Standards in Education, eff. 6-19-96; A by R087-97, 1-14-98; R057-03, 10-21-2003)

BRIAN SANDOVAL  
Governor

STEVE CANAVERO, Ph.D.  
Interim Superintendent  
of Public Instruction

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**SMALL BUSINESS IMPACT STATEMENT  
PURSUANT TO NRS 233B.0608**

Date: 10/29/2015

RE: Proposed Adoption of Regulations Revising [NAC391.077](#) Extension of time prescribed for renewal of license or for validity of provisional license; time for filing request for extension; fees; period of validity. ([NRS 391.019](#), [391.023](#), [391.032](#))

I, Steve Canavero, Ph.D., being duly appointed Interim Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to the regulation NAC 391.077 is not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on the expert knowledge of Department staff and the Attorney General's Office the impact is solely on school districts and the Department of Education.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. Comment has not been solicited from small business, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Canavero".

Steve Canavero, Ph.D.  
Interim Superintendent of Public Instruction